

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD M. STALLINGS, Administrator fo the  
Estate of RICHARD R. STALLINGS, Deceased,

Plaintiff,

v.

THE BLACK AND DECKER  
MANUFACTURING COMPANY, and BLACK  
AND DECKER (U.S.) INC.,

Defendants.

Case No. 06-cv-4078-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on review of plaintiff Richard M. Stallings's Second Amended Complaint (Doc. 15). The Court notes that the filing does not comply with the Federal Rules of Civil Procedure and/or Local Rules in the following way:

- new material in the amended pleading is not underlined as required by Local Rule 15.1.

The Court firmly believes that "procedural rules are important and that infractions of those rules should not be tolerated by the courts. Otherwise, the rules themselves will not be taken seriously, and eventually they may exist in name only, honored in the breach." *Kovilic Constr. Co., Inc., v. Missbrenner*, 106 F.3d 768, 770 (7th Cir. 1997). Accordingly, the Court hereby **ORDERS** that the Second Amended Complaint (Doc. 15) be **STRICKEN** for failure to comply with the Federal Rules of Civil Procedure and/or the Local Rules, as noted above. The Court further **ORDERS** that the plaintiff shall have up to and including August 4, 2006, to file an amended pleading that complies with all applicable rules.

**IT IS SO ORDERED.**

**DATED: July 25, 2006**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**